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FOREIGN MISCELLANY.

From the United Service Journal.

ECONOMY OF A MAN OF WAR.

No. VI.

"Per mare terramque vincimus."

MARINE OFFICER.—Although the employment of Marines has been pronounced to be a modern practice, and an intrusion into the equipment of a war-ship, they in reality constitute a very ancient department of the sea-forces. In the days of Homer and of Thucydides there were no grades of seamen; but afterwards, when the art of naval warfare had improved, the crews were divided into mariners, or those who tended the sails and rigging; soldiers, or men whose sole duty was to fight; and rowers, or low-cast fellows, who tugged at the oars. Thus, when we read of Themistocles placing his eighteen warriors on the hatches of each of his galleys, in attacking the Persian fleet, we receive it as synonymous with saying that he had stationed his Marines on the booms. In the early age of the Roman fleet the rowers were seldom armed, the legionaries being expected to combat both by land and by sea. But when that sagacious people came to have regular and constant fleets, there was a separate order of soldiers raised for the marine service, who were called *Classarii*, or *Epibatæ*. The emergencies of the state, during its decline, confounded such distinctions; and during the eighth and ninth centuries, the crews of the *dromanes*, or men of war of the fleet belonging to the Emperor of the East, performed the compound office of mariners and soldiers, being alternately or jointly employed in working the vessel, annoying the enemy, or defending themselves.

The Marines are well known to be an excellent body of troops employed in the sea-service, under the immediate direction of the Lords of the Admiralty; and that they are armed, clothed, and paid in the same manner as other corps of the King's army. Under the conditions of the Mutiny Bill, there are annual acts for the government of these forces on shore, which are much the same with those that respect the troops in general, only with the variations necessary to subject them to the entire jurisdiction of the Admiralty. Such being the conditions, there must be no grumbling after enlistment; we will, therefore, proceed to say what are the regulations established for their conduct and keeping at sea.

The Marine officers, soldiers, and boys, are entered upon the ship's books as part of the complement, though on a separate list from the rest of the crew. In all matters relating to their subsistence and clearings, they are to be considered in like manner as the land forces, and their remunerations are under the same deductions. When serving on board his Majesty's ships, (commissioned officers excepted,) they are to be paid, for the time they so serve, by the ship's pay-book, as is done by the seamen; but it is strictly ordered that no sea-wages are to be paid, unless the Marine Officer is in attendance. They are to be allowed their sea victualling without any deductions from their pay for the same; they are permitted to take a stipulated proportion of slops and tobacco from the Purser, when at sea; and with regard to saved provisions, and short-allowance money, they are in all respects upon the same footing with the ship's company in general.

The Marine officers, soldiers, and boys, are to obey

the orders of the Captain, or Commanding Officer of the ship, in all respects for his Majesty's service; and in carefully attending to the general regulations on board, the Marine Officers are expected to instruct the privates in the established rules.

When in harbor, the Marines are to be divided, if possible, into three parts; one of which parts to compose a guard, and to do the duty of sentinels. The guard is to be paraded at nine o'clock in the morning, and to be dismissed at sunset. They are to perform this service for a week, and to relieve each other alternately. The remaining two divisions are to act as a working party, and to assist in the ordinary duty of the ship; but though they are to be employed upon all such occupations as they may be capable of, subject to the directions of the officers of the ship, they are not to be compelled to go aloft, nor even to be reproached for not showing an inclination to do so.

The Naval Instructions expressly ordain that the Marine Officers are upon all occasions to be treated, as well by the Captain of the ship as by all other officers and people belonging to her, with the decency and regard due to the commissions which they bear; "and though Lieutenants of Marines share in prizes only with the Warrant Officers of ships, upon consideration of their different sea-duty, yet it is not intended to degrade their rank; and they are, while they do their duty, to be considered and treated in all respects as a commission officer should be." They are to be provided with cabins or canvass-screened berths; and in order to render both them and their party as comfortable as circumstances will admit, the non-commissioned officers and privates are to be distributed in proper messes, with accommodations for their arms and accoutrements, and a chest is to be permitted on board for every six men.

There must constantly be one Marine Officer on board; and though the common permission for visiting the shore will probably never be refused, he cannot obtain extended leave of absence from duty of the Captain, without particular orders from the Admiralty, or from a Commander-in-Chief.

The senior officer of the Royal Marines is to muster his men every evening, on beating to quarters; and to examine their arms and accoutrements strictly, the state and condition of which he is to report to the Captain of the ship. He is to examine once a week at least into the state of the clothing and slops belonging to each of his party, and to report any loss or abuse which he may detect to the Captain. It is also expected that one of the Marine Officers shall examine the barracks, or that part where his people are berthed, every day; and give the necessary orders to have them kept clean. By a little attention this proceeds smoothly enough; and to avoid every possible source of altercation, all complaints of and from the Marines should be made through their officers, so that the Captain may be made acquainted with the character of the parties.

The officer commanding on board is strictly directed to transmit, immediately after the end of every calendar month, or as soon after as opportunity offers, to the Secretary of the Admiralty, a return of the Royal Marines under his charge, attested by the Captain of the ship, in order that the true number and disposition of those useful forces may at all times be known as correctly as possible.

It is almost needless to remark, that the arms are to be kept in constant good condition; but we may remind the senior Marine Officer that, as he has charge of them and the drums, he is accountable for any loss or damage that may happen to them from ne-

glect, unless he report to the Captain the person to whom the default is owing. He will, therefore, lodge the keys of the arm chests in his cabin; during his absence they are to be kept by the officer next in rank, and so on in succession; but no person of inferior rank to a sergeant is to be allowed to go to the chests or store-room.

The Marine Officers are expected to see that the clothing and necessities of their men are always kept in the strictest conformity with the regulations of the corps; and on the death of a private Marine, his uniform yearly clothing, his arms and accoutrements, are to be taken charge of by his officer; the other effects are to be sold at the mast by auction, for the benefit of the executors or assigns of the deceased, in the form and manner practised with regard to dead seamen's property.

The Royal Marines are to be exercised by their officers in the use of their arms, as often as possible, to render them expert therein. Permission to this effect will always be readily conceded, on application to the commanding officer, if the duty of the ship will admit. This is a most important point; for, though a landsman may think a party of soldiers under drill in a ship to be as *outré* as the queer dance of judges and bishops in the "Rehearsal," we can assure him that much of the peculiar skill and dexterity, so requisite in the private, has been thus inducted. The manual exercise is the first and most essential part of the military art, as subordination is of its principle: the first frees the bodies of the men from awkwardness, and forms them to evolution; the second shows the spirit of the chief in all the members; and both these points are so eminently attained by the Royal marines, that they are consequently remarkable for coolness, sagacity, and precision. It is true that, from serving in small detachments, they have sometimes been at a loss in forming a brigade, and have proved rather unready in battalion and field movements, as well as in marching, which is one of the springs of military mechanism. But they have, on all such occasions, organized themselves with such celerity as to gain the approbation of the line, and even the praise of some of the square toes of the olden school. From this promptitude they have ever held important posts among the troops with whom they have been employed; and every general-officer has borne testimony to their intrepidity. In Egypt they obtained the *soubriquet* of "Bull dogs of the Army;" and on many expeditions they have rendered essential service as scouts and light-bobs, in the advances, retreats, and manœuvres, which constitute what is called carrying on the "petite guerre."

The object of the discipline which the Royal Marines undergo, is not confined to the mere acquirement of a proficiency in the use of arms; it tends also to inspire them with firmness, patience, and courage. Hence have they stood true in the hour of danger and disloyalty; and hence, as assailants, they have ever distinguished themselves; while, under attack, they have assumed that imperturbable front which, as a French campaigner once assured us, was only opposed to the armies of Napoleon by Britons. The superiority of assaulters over those whom they attack, both from the air of boldness, and choice of time and measures, was, perhaps, one of the main reasons why those legions were so victorious over most of the continental forces. "Nothing," says De Maizeroy, "is found to intimidate troops more than the sight of an army marching to them, being in that case obliged to view the impending danger leisurely and coolly, and their fears must augment in proportion as the enemy advances on them; whereas, when they are put in motion, they lose sight of the danger, their blood grows warm, and their courage takes fire." Such was the received military maxim of De Maizeroy's countrymen, who consequently skipped to the attack with agility, and for a time found the effect to

be according to the theory; Britons, however, took the field, and the argument fell to the ground.*

While on the subject of discipline, we may be excused a word or two to the Marine Officers on the employment of their time; for we have certainly met with some who, though as alive as the best of them when upon active duty, and as regardless at those times of fatigue and privation as if Suwarrow's Catechism were their creed; yet, at all other times, so forgetful of "*transit hora, sine morâ*," that they might exclaim with Pignotti's fly—

"Non fo, non feci, e non farò mai nulla."

Hence the pithy similes between the sleeping officer and a ground-tier butt, and the waking one, with an empty bottle; though the last has been elegantly redeemed by the following interpretation: that, having done its duty, it is ready to do it again. They are also accused of addicting themselves to the most frivolous pursuits; stupifying over chess, or rattling at backgammon; their reading is said to consist of running through the lighter works, after the proverb: "*Sicut canis ad Nilum, bibens et fugiens*;" their mathematics, since the sale of commissions has been allowed them, are accused of touching rather the calculation of differences, than the differential calculus; and their *belles lettres* are studies from Josephus Millærus, author of the treatise *De Jocis*. In short, the existence of tares in the service may be described in the couplet—

"He plays all the day, and turns in when he pleases,
Takes a flute, takes offence, takes snuff, and then sneezes."

It is thus manifest that the professional life of a Marine Officer may be fully occupied; and that, with his duties and his studies, he never need dread an intrusion of the blues. In the relations of his men and his shipmates, there is due regard to be had for circumstances; for much of the gratification or unpleasantness of his situation will depend upon his own disposition, and this, though somewhat dependent on constitution, may be governed by will and discretion. In his social intercourse he may recollect that the confidence of others is inspired by displaying a reciprocal confidence in them; and that to steer towards the point of good companionship, the true course lies between indifference and haughtiness. Should an officer be the caterer of the mess, which is a very likely case, the greater leisure which he has over the more working classes of the ship, will afford him the means of contributing largely to the comfort and cheerfulness of his messmates. But even here we may drop a hint, in recommending the most inflexible regularity, both in routine and reckoning. To carry these desirable points, he must sometimes be rather despot, and adhere to the tenet of the Medes and Persians, equally resisting the intercessions of coaxers and the demands of growlers. He must recollect that, though Sunday is a grand occasion for treating the Captain and Cockpitarian, he is to keep his weather eye open; for discussions are often continued after the skipper retires; and wine is expended in discussing battles, sieges, cabinets, liberty of speech, the press, cut of the jib and staysails, the fashions, the fair sex, or any theme which happens to be started. This is the critical turn of tide in mess affairs, and must be taken at the full. The caterer should therefore get his assessments made every evening, and be careful that the scores are cleared every fourth Monday, each member paying for his friend, and the general hospitality defrayed by equal subscription.

* This is no new discovery. Louis XIV. is reported to have made an observation on the comparative merits of the English and French soldiery: that with his officers and our soldiers he would undertake to conquer the world.

GENERAL BURGOWNE.—It is curious that a man of such celebrity, as a writer, a senator, and an officer, as the late Lieut. Gen. John Burgoyne, should be found among the number of those of whose youthful days no memorial has been preserved. Neither the time, place, nor circumstances of his birth are known. Even his parentage is doubtful. He is said, but upon what authority it does not appear, to have been a natural son of that Lord Bingley who died at an advanced age in 1774. That he had the advantage of a liberal education, and early intercourse with polished society, is sufficiently evident from his writings; and it is probable that he was early devoted to the profession of arms; for, on the 10th of May, 1759, he was raised to the rank of Lieut. Colonel, and in August of the ensuing year, he was appointed Lieut. Col. Commandant of the 16th Light Dragoons. His after services at different periods, in Spain, Portugal, and America, are all well known; especially the unfortunate termination of his military career at Saratoga, which, though it tarnished not his honor, cast a shade over his brow ever afterwards conspicuous to the physiognomical eye. He made, on certain occasions, no ordinary figure in Parliament. He moved in the first circles, and married Lady Charlotte Stanley, a daughter of the Earl of Derby; and yet we know not who and what originally he was. He was author of four successful dramas—the Maid of the Oaks, the Lord of the Manor, Richard Cœur de Lion, and the comedy of the Heiress; and yet the curiosity of his biographer, even in this anecdote-dealing and memoir-sifting age, cannot trace his origin, or the scenes of his education. The fable of the Lord of the Manor seems, in some degree, to have been suggested (though sufficiently disguised in the modification of character and circumstances) by the incident of his own matrimonial connexion; for his was a clandestine and unauthorized marriage, at a time when he held only a subaltern commission in the army, and it is said to have excited at first the resentment of the lady's father to such a degree that he declared his resolution never to admit the offenders into his presence; though in process of time the anger of the Earl subsided, a reconciliation was effected, and was succeeded by a warm and lasting attachment. It is probable, also, that the memory of his lady, who died in the year 1776, at Kensington Palace, during his absence in America, is embalmed by the affectionate regrets of the General in that beautiful air in the first act of that opera:

Encompassed in an angel's frame,
An angel's virtues lay;
Too soon did heaven assert its claim,
And call its own away.
My Anna's worth, my Anna's charms,
Must never more return!
What now shall fill those widow'd arms!
Ah, me! my Anna's urn!

It is some confirmation of this conjecture, that General Burgoyne contracted no second marriage. Taste and sentiment, rather than vigor and originality; and familiarity with local manners and the superficialities of character, rather than the comprehensive views of the sources of human action, and penetration into the deepest recesses of the heart, characterize the genius of this writer; and his satire, though well pointed, will accordingly lose its interest when the memory of the fleeting follies and temporary politics at which it is levelled shall have died away. Of his dramatic works, incomparably the most valuable is the comedy of *The Heiress*; which may, indeed, be called the last comedy produced on the English stage.—*English paper.*

FRENCH NAVY.—The *Eclaireur de Méditerranée* announces, in terms nearly official, that the Minister of the Marine has decided to increase the number of naval officers of all ranks. According to the Minis-

ter's plan, France will always have on the peace establishment 130 ships of different force at sea, with a reserve in the harbor of 9 ships of the line, 9 frigates, and a certain number of smaller vessels, ready for service at a moment's notice. According to ministerial calculation, France is presumed in time of war to require 36 ships of the line, 36 frigates, and a proportionate number of smaller ships; and upon this supposition the Minister conceives that it is absolutely necessary that the present number of officers on the peace establishment should be greatly increased. It is also stated to be in his contemplation to give the officers and masters the same pay when on shore as at sea. The *Eclaireur* of Toulon contains the following comparative account of the number of officers and ships in the navies of France and England:

Officers.		France.	Eng'd.
Post Captains, (Capitaine de Vais-seaux,)		80	750
Captains, commanders, (Capitaine de Corvette)		150	823
Lieutenant, (Lieutenant de Vaisseau,)		450	2,994
		680	4,657
Vessels.		France.	Eng'd.
Ships of the Line		51	123
Frigates,		63	122
Corvettes Gun-Brigs, &c.,		108	163
Bombs, Packets, Cutters, &c.,		43	79
Boats, (Petits Batimens de Flotille,)		51	15
Steamers,		31	26
		347	528

DOMESTIC MISCELLANY.

CASE OF GEN. WOOL.—We publish to-day the defence made by this gallant officer before the Court of Inquiry, recently held at Knoxville, together with the Opinion of the Court upon the facts presented.

The object of a Court of Inquiry is to investigate facts, not to try the case. The allegations against Gen. Wool were made by the Legislature of Alabama, and officially communicated by Gov. Clay to the Secretary of War.

Gen. Wool left the Cherokee country with a multitude of testimonials from the Indians, as well as the whites, bearing witness to the honor and humanity of the soldier and the man.

He whose LIFE is devoted to the service of his country, and who looks—for his only reward—to that country's approbation, has at least a right to its opinion and sympathy, when he has the misfortune to be wrongfully arraigned, for the conscientious discharge of his duty.—*Madisonian.*

DEFENCE OF GENERAL JOHN E. WOOL,
Against the accusations of his Excellency C. C. Clay, Governor of Alabama, as inquired into by the Court of Inquiry, of which Major General Scott was President.

MR. PRESIDENT:

It was very far from my expectation when I took leave of my command on the 1st of July last, in obedience to instructions from the War Department, that I should so soon again be compelled to revisit this country, particularly under the circumstances in which I now appear before you. I frankly confess that, when I took my departure, I was flattered with the pleasing reflection that I carried with me the approbation and kind wishes of all the Tennesseans, the Georgians, the North Carolinians, and the Alabamians. It appears, however, that I was mistaken, and the pleasing illusion which I had so fondly cherished was soon and rudely to be dispelled. For, on my arrival at Washington, I learned from the Secretary of War that I had been charged by the Execu-

tive of Alabama with usurping the powers of the civil tribunals of the State, disturbing the peace of the community, and trampling upon the rights of its citizens; and that a Court had been instituted to inquire into the circumstances, and report the facts to the War Department. My surprise was great, for of all that could be alleged against me during the period I commanded in the Cherokee nation, the charges preferred against me were the most foreign to my feelings and intentions, and which every measure adopted, with reference to the Cherokees and the white inhabitants, will clearly prove. I did not go to that country, Mr. President, to tarnish what little reputation I may have previously acquired, by acts of oppression or cruelty, nor by violating the laws of my country. My object was a faithful execution of the treaty with the Cherokees, to protect all in their rights, as guaranteed by it; the white men and the red—the weak as well as the strong. These were the cardinal rules for my conduct which I steadily kept in view, and which I never lost sight of for a single moment, from the time I entered the country until I left it.

But it is not my intention, Mr. President, to detain this Court, or weary its patience, by attestations of my innocence, or a labored defence of my conduct, whilst commanding in the Cherokee nation. The President of the United States having refused my request for a general inquiry into my conduct, and the present inquiry being limited to a single complaint, I will at once proceed, in as brief a manner as circumstances will permit, to present my views of the subject to the consideration of the Court. The facts by which this Court is to be guided in the formation of its opinion, are now upon its records. I await the result of its deliberations, and the judgment of the American people, when your proceedings shall be made public, with undoubting confidence.

My instructions, Mr. President, of the 20th June, 1836, in which a copy of the late treaty with the Cherokees was inclosed, are before you, marked (1.) With what energy, zeal, and promptitude, I discharged the important duties thus assigned me, the Court will be able to judge from the facts and the documents before it. As directed, I repaired to Athens, in Tennessee, with as much despatch as practicable; and, after organizing a brigade of volunteers, arming and equipping such a force as I considered the nature of the service required, and establishing depots of provisions in suitable places for both the troops and the poorer class of Cherokees, distributing the troops in such positions as would afford the greatest facilities for operating and controlling the Cherokees in case of hostilities, I established my head quarters on the 27th of July, a little more than a month after I left Washington, near the mouth of Valley river, N. C., in the midst of the most obstinate and warlike of the Cherokees, and the most devotedly attached to their country. I was not slow in discovering that the command I had assumed was one of delicacy in its nature, and extremely troublesome in the execution. I found the Indians laboring under a state of excitement, produced by the means adopted to force upon them the late treaty, which they most explicitly disavowed, "declaring that they had made no such treaty with the United States, and that the paper which purported to be one, was made by a few unauthorized individuals, without the sanction of the nation, assisted by corrupt agents of the Government." This state of feeling was heightened by the daily encroachments of the whites, who were flocking into the nation and driving them from their homes. This excitement was still greater in Georgia and Alabama, where the Indians were not only dispossessed of their houses and fields, but, in consequence, also, of the conduct of the troops of these States, who, in pursuit of Creek Indians who had fled for refuge among the Cherokees from the war that was raging in their

own country, not unfrequently captured the Cherokees and conveyed them to the Creek emigrating camp for transportation to the West. By this means husbands were frequently separated from their wives, and children from their parents. Such was the perplexed and embarrassing state of things with which I had to struggle on my entrance into the Cherokee country.

To allay this excitement, to correct these abuses, and to induce the Cherokees to acquiesce and submit to the conditions imposed by the treaty, the best energies of which I was master were put in requisition. The testimony before the Court will show that I devoted myself unceasingly to accomplish the objects of my mission to the Cherokee country, to execute the treaty honorably to the Government and justly to the Indians. I have the satisfaction of believing that the measure adopted would have produced the desired effect. The Cherokees were beginning to relax in their opposition, and were making preparations for removal to the West.

I have thus endeavored, Mr. President, briefly to lay before you the state of the Cherokee nation in August and September, 1836. If, at that time, I had been sustained in my course by the Government of the United States, and the Commissioners had been present to enter upon the discharge of their duties at the same time, I have no doubt, and think I will be sustained in the declaration by the more intelligent part of the nation, that, at least, five thousand of the Cherokees would have removed to their new homes during the last fall and winter. This would have induced the removal of the residue of the nation without trouble or difficulty.

As an indication of the course pursued by me during my command in the Cherokee country, and as showing the means by which I acquired the confidence of the Indians, and the approbation of the white citizens of the nation and the neighboring country, I would call the attention of the Court to my communications to Brigadier General Dunlap of the 4th and 12th of August, 1836. In that of the 4th of August, the following directions will be found: "You will proceed without delay to New Echota, and such other parts of the Cherokee nation, within the limits of Georgia, as may be necessary to give protection both to the Cherokees and the white inhabitants residing in that section of the country. You will allow no incroachment on either side. *Both will be protected in their persons and property.* You will prevent as far as practicable all collisions between your troops and the Indians. You will also prevent any interference on the part of the Georgia troops with the Cherokees."

"At all events, you will prevent any improper exercise of military control over the Indians, or the white inhabitants. The whole subject is left to your sound discretion, taking care to do nothing that will bring you in conflict with the authorities of Georgia. The sovereignty of the State and its laws must be respected. You will recollect, in your proceedings, that the State and the citizens are still laboring under a state of excitement, caused by the cruelties of a savage warfare. Therefore, great prudence and discretion should be exercised in all your intercourse with the nation, and particularly in all measures which might have a bearing upon the rights and interests of the State and people of Georgia."

Again, on the 12th of August, the Court will find I transmitted to General Dunlap the following instructions. "Captain Vernon, stationed at New Echota, informs me that John Ridge has complained to him that some white man is about to take forcible possession of his ferry on Coosa river. You will, without delay, inquire into the cause, and if you should find the complaint to be just, you will, until further orders, protect Ridge in his rights and property. This order will apply to all cases of a similar character in the Cherokee country."

In your proceedings you will be governed by your instructions of the 4th instant." Ridge's ferry was in Alabama.

By examination of the testimony of Captain Morrow, Colonel Byrd, Captain Shaw, and Major Lyon, the Court will discover that I gave similar instructions to every officer ordered on command, and particularly to Captain Morrow, stationed near Gunter's Landing, Alabama; and yet I have been charged by his Excellency, C. C. Clay, now Senator Clay, (in violation of the laws of Alabama,) of assuming the power of adjudicating and determining the right of possession or ownership of land and improvements thereon, and of dispossessing one claimant, and supplanting him with another by military force. Under one of these decisions, a conflict took place in the county of Marshall, as the Governor states, "which resulted in the death of two individuals, certainly, besides the most serious injury to others, some of whom, it is feared, may yet die of their wounds."

The letter of his Excellency is so far correct in this, that I did, on the occasion alluded to, and at other times, dispossess white men of Indian improvements, which they had unjustly taken and "supplanted them," not with another white man, as it might be inferred, but with an Indian claiming the benefits and protection of the late Cherokee treaty; and for this I believe that I was fully warranted by the letter and spirit of the treaty, and that justice demanded the exercise of such a power. On this point I shall have occasion to speak more fully hereafter.

The facts of this case are simply these. The heirs of John Gunter, Senr., deceased, through their administrator of the estate, Mr. Riddle, applied to me to restore them to the possession of a certain improvement which they claimed, as Cherokees, under the treaty of 1835, then in the possession of Nathaniel Steele. Having satisfied myself, by a thorough investigation, that it was an Indian improvement, and that it rightfully belonged to the heirs of John Gunter, Senr., deceased, and that Steele had no claim whatever to it, I considered it my imperative duty, having the treaty before me, which I could view in no other light than part of my instructions, to transmit the instructions before the Court, of the 3d of June, marked G, to Captain Morrow. You have it in testimony before the Court, that these instructions were obeyed, and the administrator put in possession. I would, however, call the attention of the Court to the concluding paragraph of these instructions, as clearly indicating my desire in nowise to interfere with that which properly belonged to the civil tribunals of the country.

It will be remembered by the Court, that Mr. Riddle was an officer acting under the laws which I am charged with having outraged and trampled upon. That he states in his testimony, most explicitly, that he applied to me for relief, because he believed he had no adequate remedy under the laws of Alabama. I also refer to the very clear testimony of Captain Morrow on this point. I wish it also to be understood, that the Government of the United States was distinctly informed, and approved of the course, for which I have received the denunciations of the Governor of Alabama. For this purpose I would refer the Court to my letter of the 13th August, 1836, to the honorable Lewis Cass, marked 5, enclosing instructions to General Dunlap of the 4th and 12th of August, and the answer to that letter, dated the 1st of September, marked 6; also to my letter of the 27th of August, marked 7; and the answer of the Acting Secretary of War, of the 13th of September, marked 8; to the letter of the President of the United States, of the 7th of September, marked 10, the following extract of which is very explicit: "Should you find any evil-disposed white man in the nation, exciting the Indians not to comply with the treaty, you will forthwith order him or them out of the nation; and if they refuse to go, the facts being tho-

roughly established, you will take the steps necessary to put them out. Such characters must be considered in the light of intruders, prohibited by the treaty from living within the limits of the nation." Again, in my instructions of the 12th of October, marked 13, it will be perceived I was authorized not only to have dispossessed Steele, but to have turned him out of the country. For it is there laid down, "that if any of our citizens enter the Indian country, and incite opposition to the execution of the treaty, you will ascertain whether there is any law of the State which can be brought to bear upon them, and under which they can be removed. If they cannot be reached in this way, it is the opinion of the President, that they may be removed under the 6th article of the treaty, in which the United States guarantee that the Cherokees shall be protected against interruption and intrusion from citizens of the United States, who may attempt to settle in the country without their consent."

Thus it will be seen, Mr. President, that my course was not only approved, when I informed the War Department of my intention to protect the Cherokees in their property from the lawlessness of intruders; but the President of the United States, who is my superior officer, and whom I am bound to obey, directs me in the most positive manner to turn any white man out of the nation who should incite opposition to the treaty. And the important principle is there recognised, that the United States having guaranteed that the Cherokees shall be protected from all interruption and intrusion of the white men, has the authority to turn them out of the nation, unless they are there by the assent of the Cherokees themselves. Surely if I had the power to turn them out of the nation as intruders, I had also that less obnoxious but more useful power to dispossess them of an Indian house where they had violently and unjustly obtruded themselves.

Mr. President, before I close this brief defence, upon an intimation to that effect from one for whose opinion I have the greatest respect, I will, as concisely as I can, bring to view the reflections which brought to my mind the conviction that the laws of Alabama, extending her jurisdiction over the Indians and their country, are contrary to treaties and the statutes of the Union, and therefore void. I approach the discussion of such a question as this with much embarrassment. It is properly and purely a judicial question, and I make no pretensions to legal attainments. Besides, I am well aware of the angry discussions which it has elicited, and of the jealous sensitiveness of the State upon this point, which, at one time, threatened to overthrow the Union. Neither can I suppose for a moment that I shall be able to convince the Court upon a question which has divided the most eminent statesmen of the day, and has undergone the rigid scrutiny of such minds as Marshall, and Story, and Wirt, and Sergeant, and many others who have adorned the bench, the bar, and the Senate of our country, and whose names give lustre to the age. My object shall be to present to the Court my own reflections with a reference to such decisions, treaties, and statutes, as the Court may conveniently consult, should it be inclined to pursue the investigation.

I shall pass by the discussion of the rights which discovery or conquest conferred upon the nations of Europe over the aborigines of this continent, barely remarking, that all the powers of the British crown over the savage tribes inhabiting this country passed, by the revolution, to the United States of America, and not to the individual States. All subsequent rights have been acquired by treaty stipulations or conferred by the Constitution upon Congress.

The Constitution of the United States declares that laws made in pursuance of it, and treaties made or to be made, are the supreme laws of the land, any

thing in any State Constitution or law to the contrary notwithstanding.

The Indian tribes inhabiting this Continent have been always recognised as independent communities, capable of making treaties and of sustaining the relations of peace and war. "The United States," says Chancellor Kent, "have never dealt with these people within our national limits as extinguished sovereignties. They have constantly treated with them as independent nations, governed by their own usages, and possessing governments competent to make and maintain treaties. They have considered them as public enemies in war, and allied friends in peace. (Godell vs. Jackson, 20 vol. Rep. 714.) The Supreme Court of the United States declared (6 Peters' Report, 554) that, "by ninth article of the treaty of Hopewell, a surrender of self-government was never intended by the Cherokees, and so to hold would be a perversion of the necessary meaning of the Indians." In the same case, the Court used the following language. "Is it credible that they should have considered themselves as surrendering to the United States the right to dictate their future cessions, and the terms on which they should be made, or to compel their submission to the violence of licentious and disorderly intruders?"

All the treaties with the Cherokees, from 1785 up to this time, recognised them as a nation capable of living under their own laws. The principal provisions in those treaties have been thus summed up: "Perpetual peace, grant of land by the nation, express designation of boundaries, to give up offenders taking refuge among them. That retaliation shall cease—the exclusion of the whites from the lands retained by the Indians. Acknowledgement of the protection of the United States, and of no other sovereign whatever. That Congress shall have the sole and exclusive right of regulating trade with them, and managing all their affairs, as that body shall think proper, (treaty of 1785.) A solemn guaranty to the Cherokees of all their lands not ceded. That it shall be against the law for white men to settle on such lands, and such intruders to be punished as the Indians think proper." Judge Peck's opinion, 8 vol. Rep. "In the treaty of Hopewell, the Cherokees are treated as a nation, and throughout that instrument their distinctive character as a separate political community is kept up and clearly acknowledged. The treaty of Holstein, 1791, recognises them as a nation, and guarantees the Cherokees all their lands not thereby ceded. All subsequent treaties recognise and acknowledge the operative force of these treaties." Judge Green's opinion, 8 vol. Rep. 344.

Is it necessary for language to be stronger? Where can you find rights more clearly defined or more solemnly guaranteed? Lands are ceded, boundaries are expressly designated, a guaranty for those retained, and assurance of protection from the intrusions of the whites. Are then these treaties, and have they the operative force of such an instrument, as known to the Constitution? It has never been doubted. They have been approved by the President, ratified by the Senate, published to the world as such, and recognised in the highest judicial tribunals as the supreme law of the land.

Was the United States competent to enter into stipulations of this kind, and is it able to perform them? Or did this magnanimous Government designedly bind itself to terms which it could not enforce, with a handful of rude, unlettered savages, while it compelled performance on their part; and when they demanded a fulfilment of the conditions, coldly to inform them we cannot comply, you must rely upon the justice of the States, and the tender mercies of the bordering white men.

Was it ever contemplated by the Indians, when they received the solemn assurance of the United States of protection from all intrusion of the whites,

that they were to become subject to a body of laws imposed on them by the States, the language of which they did not even understand, and so entirely dissimilar to all their habits and customs? In the language of the Supreme Court of the United States "it is incredible." It would be a perversion of language to suppose so, and a fraud upon the Indians to give in that operation. Or, did this Government in the formation of these treaties condescend to "palter in a double sense to keep the word of promise to the ear and break it to the hope?" I trust that such puerile faith will never stain our national character.

In *Worcester vs. the State of Georgia*, 6 Peter's Reports, 561, the Supreme Court of the United States held that, "the Cherokees are a distinct community, occupying its own territory, with boundaries accurately described, in which the laws of North Carolina could have no force, and which the citizens of North Carolina had no right to enter, but with the assent of the Cherokees themselves." This perhaps is the last case, involving this question, which has been before the Supreme Court of the United States, —the only tribunal recognised in the Constitution for the decision of such questions. The opinion was pronounced by that pure-hearted man, and eminent jurist, Chief Justice Marshall, whose expositions of the Constitution will be revered while that instrument itself endures. The time and the circumstances give to this decision unusual solemnity and importance. The Court will remember that the Union was agitated from one extreme to the other, and threatened no less than an overthrow of the Constitution. At such a time, how calm would have been the deliberations of Marshall; how earnest his convictions.

The Constitution of the United States also prescribes that Congress shall have the power of regulating commerce with foreign nations, among the several States, and with the Indian tribes.

It has been decided that personal intercourse was commerce in the sense of the Constitution. The laws of Alabama are, therefore, void, as being repugnant to the provisions of the Act of Congress of March 30, 1832, commonly called the Intercourse Act. And it would seem that the Congress of the United States was of the opinion that the Acts of 1802 was still in force as late as the year 1834, at which time an act was passed regulating trade and intercourse with the Indian tribes west of the Mississippi, and in which the Act of 1802 was declared not repealed, as to the tribes east. (See the Act of 1834, Act of 1802.)

Upon what argument, then, rests the rights of the States to extend their laws over these people. We are told that the Indian tribes are within the chartered limits of the States, and that the States are sovereign within those limits, and cannot be restrained. But are they not parties to the formation of these treaties? Where were the Senators of these States at the time of their ratification? Does their solemn protest stand upon the records of the Senate against this usurpation of the General Government? They were present, and themselves parties to the act.

But the State of Alabama became a member of the Union with this tribe of Indians then in her borders, with most of these treaties existing in full force, pledging the protection of the United States, guaranteeing to them the undisturbed possession of their country, and the enjoyment of their usages and customs; prohibiting the intrusion of the whites upon their soil, and laws enacted to carry out the provisions, and penalties prescribed for their infraction. By accepting membership with these conditions before her, she became a party to the acts, and cannot disavow them.

Under the repeated and solemn guaranties of the United States to the Cherokees, for the occupation of their lands not ceded, would the Government have permitted the State of Alabama to have called upon

the military force of the State, and expelled these people from her borders, by the use of the bayonet? The question need not be answered. It cannot be doubted by any one familiar with the condition of the country, that they can be as effectually expelled, though not quite so promptly, by means of legislation, as by the point of the bayonet. They have not the privileges of an oath before the judicial tribunals, no voice in the legislative hall. Is it not equally a breach of faith to permit that to be accomplished by indirect means, which would be prohibited if attempted directly and forcibly.

The testimony on your records establishes the fact that, if all controversies, of which they have assumed cognizance, were submitted to the adjudication of the civil tribunals of that country, it would be impossible to execute the Cherokee treaty justly and faithfully. There must be some other less interested power to interpose between them, and the white people residing among them, who from their superior cunning and knowledge of the laws, and the fact that the Indian is not allowed his oath, must of necessity be always successful in defrauding and oppressing them.

With these views of my duty, Mr. President, with my instructions before me, holding in my hand the late Cherokee treaty, which solemnly guaranties to the Cherokees the possession of their property and the free use and occupation of the same until the time fixed for their removal to the West; what should have been my course? If I had acted otherwise than I did, I should have considered myself recreant to the sacred trust reposed in me. An Indian presents himself before me, and in the language of nature details his complaint. He says, I have been dispossessed by the white man of the house which I built, and the fields which I have cultivated for years; my property has been taken from me, and my family turned out to the shelter of the forest. Your Government is pledged to protect me, you have the treaty before you, and you were sent to enforce it. I ask justice at your hands. I say to him, go to the civil tribunals of the States, they will redress your wrongs. What would be his answer—what would be your answer—or that of any other man in the community?—It would be the voice of nature, universal as the human family. He would say, you insult me with such protection, it is a miserable mockery. Is this your justice? This your faith so often, so solemnly pledged to us? In the language of scripture, he might exclaim, I have asked you for bread, and you have given me a stone.

My crime has been, not in using the language here supposed, but in listening to his complaints, and redressing his wrongs. I have endeavored to do him justice without inquiring into the particular provision of this or that State law. I have not perplexed myself with the subtle arguments of politicians about the indivisibility of sovereignty, or such like cobwebs of the brain; but the path of justice being clear, I but obeyed the still small voice of conscience, which frequently, in the advance of reasoning, overleaps those barriers with which subtlety and ingenuity sometimes successfully oppose its progress.

The course of justice and humanity are but the dictates of an enlarged and liberal policy. By such a course the Indians were taught that some remains of justice, some touches of feeling, yet existed in the bosoms of white men, for their unfortunate and peculiar situations. I trust that it softened, in some degree, the asperity of their feelings, and caused them to look with some confidence to the future. Suppose a different course had been pursued, and every species of oppression and cruelty practised towards them, and they could find no redress? Might they not justly say, we can but die; let us first be revenged! Do we seek in vain in the pages of history for such resolutions prompted by despair?

But, Mr. President, I am happy that no charges, which should dishonor me as a man, or disgrace me as an officer, have appeared against me. That I may have committed errors of judgment, I cannot doubt; but the case before the court I cannot think is one. And although the consequences of this case were tragical indeed, surely I am not responsible for the violence of human passions which caused such a result. No one can regret it more than I do.

Mr. President, I return the court my thanks for their courtesy and unwearied attention during the investigation.

JOHN E. WOOL,
Brig. Gen. U. S. Army.

From the National Intelligencer.

DEATH OF LIEUT. J. W. S. McNIEL.—At the dawn of day on Sunday, a charge was made by the whole force, in two divisions, commanded by Lieutenants PEYTON and McNIEL. The Indians were on the alert, and gave one discharge from their rifles, by which Lieut. McNIEL was, unfortunately, mortally wounded.

The gallant Lieut. McNIEL lingered until 10 o'clock on Monday night, when he expired. He was a promising young officer, and his loss is universally regretted. His body was brought in, and buried with military honors, at 6 o'clock, yesterday afternoon.—*Official Despatch.*

Lieutenant J. W. SCOTT McNIEL, whose death is noticed with so much honor to his memory in the above despatch, was the son of Gen. JOHN McNIEL, late of the U. S. army, and grandson of Gen. BENJAMIN PIERCE, of New Hampshire, a hero of the Revolution. The brave blood of his ancestors urged this young officer into the very front of danger whenever an opportunity offered, and never did Indian bullet carry its destiny to a more brave, honorable, and gallant bosom.

He was a very young officer, we believe hardly exceeding 19 years of age.—*Globe.*

The half-mast flag waved sluggishly,
In the rays of the setting sun;
The muffled drum beat mournfully,
For a warrior's race was run.

And, with arms reversed, they bore him,
To a soldier's gory grave,
And the sternest there wept o'er him,
For he was both young and brave.

When a soldier weeps o'er a brother's bier,
We may know that the brave is dead;
For never yet was a soldier's tear
Shed over a craven's head.

The form which lies in that bloody shroud
Was full of young hope and life,
As, yester-morn, on his war-horse proud,
He led to the field of strife.

His plume was ever in the van,
For his heart was valor's place,
And his veins with the blood of heroes ran;
That never could brook disgrace.

His death was glorious, though he died
In a most inglorious strife—
And his name shall live, that country's pride,
For whose honor he gave his life.

With pride shall the burning tear be shed,
By those who loved him well;
For, while they mourn their beloved dead,
They shall joy that A BRAVE MAN fell.

JOB PRINTING

OFFICE ARMY AND NAVY CHRONICLE.

Pennsylvania Avenue, Washington.

WASHINGTON CITY;
THURSDAY, OCTOBER 19, 1837.

THE ARMY, MILITARY ACADEMY, ETC.—We find ourselves unexpectedly, and contrary to our wishes, placed in an antagonist position to a writer in the Charleston Courier, who adopts the signature of P. That his first article might not escape our notice, he took the trouble to send us a copy of the paper containing it, marked with a pen. Had it appeared in a paper of less standing and circulation than the Courier, (which we have been accustomed to view as one of the best conducted in the country,) we should have passed it by, as one of those every day slanders not worth the trouble of refuting. The Courier was received on our publication day, and there was but one of two alternatives—either to publish the article at once, with or without comment—or suffer it to remain until the ensuing week. Having determined upon giving it an immediate insertion, we had only time to speak of it in general terms, as containing “libellous imputations upon the integrity and motives of the graduates of the Academy.” So far as our acquaintance with them extends, there is not the slightest justification for the grave charges of gambling, debauchery, and peculation, made against them, not in direct and specific terms, but by innuendo and insinuation. The gross injustice of stigmatizing a whole class (of any profession in society) for the errors of a few—admitting, for argument’s sake, that there are delinquents—is palpable to every well balanced mind; it may suit the purposes of some to resort to “slander and detraction, abuse, scandal,” or “false aspersions.”

The obvious import of the article in question was to impress upon the public mind a belief that the graduates of the Military Academy were disqualified, by habits and scientific acquirements, for the higher and more responsible commands and duties of the army, and *a fortiori* to justify the late administration in appointing citizens to new corps, to which it was alleged the officers then in the army laid exclusive claim. The correctness or expediency of the course pursued by the administration, it is not material to the present purpose to discuss. We have only to repeat our assertion, which we do in plain and unequivocal terms, that the article in question contains “libellous imputations upon the integrity and motives of the graduates of the Academy,” and in proof of that assertion we refer to the following paragraphs:—page 182, column 2, commencing with “there is another view,” to the close of the same;—page 183, column 1, commencing with “in the absence of experience,” to the words, “drones, fops, and coxcombs.”

The writer P. has taken exceptions to the language we used; says we have misunderstood the reasoning of his essay; and, wandering away from the point at issue, speaks of the Seminole war as proof of the correctness of his position that the graduates of the Academy are not qualified for the duties of the staff departments of the army. He argues in this wise: There have been frauds committed against the Go-

vernment in the Florida campaign—the officers of the army (graduates) have been entrusted with the disbursement of the public money in that campaign—*ergo*, the graduates are not worthy of confidence.

If such frauds, as is alleged, have been committed, and the perpetrators of them can be detected, it will turn out, that they are not officers of the army, but citizens temporarily invested with authority, or contractors for supplying the army. If this writer has any facts within his knowledge, tending to criminate any officer of the army, he should make them known, that an investigation may take place, and the offenders be punished. If any graduate shall be found guilty, his associates and compeers will not attempt to screen him from odium.

Let the accounts of disbursements settled at the Treasury be examined, and for one graduate who is a defaulter, two will be found who are not graduates. The lessons inculcated at the Academy are peculiarly designed to teach the importance of system, economy, and strict accountability; and the precept is never lost sight of, that honor—bright, unsullied honor—is a distinguishing feature in the soldier’s character. With these lessons so forcibly and so constantly impressed upon them, it is highly improbable that the graduates will so soon, if ever, forget them as to become derelict in their duty to their country—whether that duty consists in defending her soil, or administering her pecuniary affairs.

If we turn from the duties of the staff to those of the line, in this Florida war, the graduates, it will be seen, have never shrunk from danger or turned their backs upon the foe.

It is not for us to suggest what course it is due to their own hitherto unsullied honor, as a corps, to pursue. They may view these imputations upon their integrity as of sufficient importance to ask for an investigation of them, that the innocent may not suffer in common with the guilty; or they may pass them by with silent contempt.

Having other duties to discharge, besides those of editing a weekly paper, and which occupy more of our time, we have little to spare to devote to the defence of an institution, the existence and fair fame of which, we consider of vital importance to the army and to the country. We must therefore leave its defence in the hands of those, who are more immediately concerned in sustaining its honor from unmerited reproach.

The first session of the twenty-fifth Congress terminated on Monday, about 10 o’clock.

The following is a list of the Acts passed during the session:

To postpone the fourth instalment with the States. Authorizing a further postponement of payment upon duty bonds.

For adjusting the remaining claims upon the late deposit banks.

To regulate the fees of district attorneys in certain cases.

For the relief of D. P. Madison.

To authorize the issuing of Treasury notes.

Making additional appropriations for the suppression of Indian hostilities for the year 1837.

Making additional appropriations for the year 1837.

To continue in force certain laws to the close of the next session of Congress.

To amend an act entitled "An act to provide for the payment of horses lost or destroyed in the military service of the United States," approved Jan. 18, 1837.

Resolution directing the postage on letters sent by the express mail to be paid in advance.

A body of 80 or 90 marines, destined for the frigate *Columbia*, and the corvette *John Adams*, marched from head quarters on Monday, on their way to join their respective ships.

A Board of Naval Surgeons, for the examination of Assistant Surgeons for promotion, and candidates for admission into the Navy as Assistant Surgeons, will be convened in the city of Philadelphia, on the first Monday in December next. The Board will consist of

Surgeon W. P. C. Barton, *President*.

Surgeons Thomas Harris, Mordecai Morgan, Thos. J. Boyd, and Thomas Dillard, *Members*.

William A. T. Maddox, of Maryland, has been a Second Lieutenant in the Marine Corps, 14th October, 1837.

ITEMS:

Steamboat *Pawnee*, having on board the 1st regiment of U. S. Infantry, destined to Florida, arrived as New Orleans on the 3d inst.

United States steamboat *Poinsett* arrived at Charleston on the 6th inst., via Beaufort, N. C., with a detachment of recruits for the 1st regiment of Artillery. The *P.* left Charleston for St. Augustine on Wednesday, the 11th.

The ship of the line *Ohio* was towed down New York harbor, on Thursday last, by the steamboats *Rufus King* and *Hercules*, and came to anchor off the S. W. spit, the wind and tide being unfavorable. She is the largest vessel that ever anchored in the Hudson, and now draws upwards of twenty-two feet of water, though she has no armament on board. When she is fitted for a cruise she will draw nearly 26. She has at present less than half her complement of men on board. The *Ohio* was taken through Gedney's channel. Her commander having been one of those who have examined that channel, has said that he should have no hesitation in beating her through it.

P. S. The *Ohio* was towed to sea on Sunday.

ARRIVALS AT WASHINGTON.

Oct. 11—Lieut. F. O. Wyse, 2d Arty.	Fuller's.
12—Lt. T. L. C. Watkins, M. Corps, Dr.	Watkins'.
Lieut. A. Ury, 1st Dragoons,	Fuller's.
16—Lieut D. E. Hale, 1st Arty.	do.
16—Lieut. A. C. Myers, 4th Infy.	Gadsby's.
Capt. C. Graham, 3d Arty.	Fuller's.

PASSENGERS.

CHARLESTON, Oct. 6, per U. S. steamer *Poinsett*, from Norfolk via Beaufort, N. C., Lieut. McLane, U. S. A., and a detachment of the 1st Regiment Artillery.

Per steampacket *Georgia*, for Norfolk, Mrs. Chalmers, and Lieut. Watkins of the Marine corps.

Oct. 9, per steampacket *South Carolina* from Norfolk, Major J. S. Lytle, of the army.

NEW ORLEANS, Oct. 1, per steamboat *Mazeppa*, from Mobile, Major D. Fraser, of the army.

COMMUNICATIONS.

THE ARMY AND NAVY CHRONICLE.

MR. EDITOR: If your *Chronicle* is not one of the most useful and interesting periodicals issued in this country, the fault is with the officers. The service contains among its members, in both branches, talents of a high order; and certainly there can be no lack of interesting matter within their reach. Independently of the passing events at the various stations, at home and abroad, a more frequent interchange of thoughts on professional subjects would be highly advantageous, by keeping alive an interest in the service, which appears to be, in many, rather languishing. The various improvements daily making in building and equipping ships, in the construction of fire-arms, and useful suggestions in relation to the various departments of the service, afford a most prolific theme. The reminiscences of those who served during the last war with England, (and in more recent service,) would be highly interesting. Thousands of characteristic anecdotes occur during a cruise, a campaign, or a battle, which cannot be detailed in an official report, which go far to show our national character, shed a lustre on our arms, and which should not be permitted to go down to oblivion for want of a *Chronicle*.

The British never suffer instances of individual heroism, however obscure he may be who performs it, to be lost to the nation; they are held up to view, and certainly have the effect of keeping alive that chivalrous spirit, which animates those whose brilliant deeds are proudly recorded. No service on earth, by sea or land, can boast more gallant bearing before an enemy than our own. There were many acts of devotion in the navy and army during the last war, which would have done honor to the brightest days of chivalry, now almost forgotten; and if not rescued soon, must be lost forever. Their gallant exploits belong to the service, and should not be withheld by the individuals in whose memories alone they are recorded; they comprise a rich legacy for those who come after. I would, however, advise you, Mr. Editor, not to permit your *Chronicle* to be a vehicle for personal assault. Opinions, of course, are open to discussion; they may certainly be combatted without ill-humor, or offensive personalities. Exhibitions of petty jealousies and bickerings in the service are injurious, and painful to its real friends. No family ever increased its respectability by making public its little differences; they should be confined within its own circle; for they more frequently arise from misconception than any real cause, and are much more readily healed when not exposed to public observation. Youth is apt to consider, what in reality is but wholesome restraint, grievous oppression; and, without reflection, complain aloud. A few more years over their heads, and an attainment of a higher, and, consequently, a more responsible rank, will convince them of the unreasonableness of such a course as they now pursue. They will act precisely to those under them, as do those of whom they so loudly complain. So it ever has been and will be. Unanimity, and a patient observance of discipline, can alone preserve our respectability and strength; they alone rendered our little navy (according to its numerical strength) the most efficient that floated on the ocean. Persuade the officers to contribute more frequently to your columns. One American article is worth (to me at least) a dozen from foreign sources.

C.

Our own views are very much in unison with those of our correspondent C. From the very commencement of the Military and Naval Magazine, we felt convinced that no periodical could have been rendered more interesting and valuable, had the contributions of the officers equalled our expectations. But it was very soon perceived that a dependence solely on the voluntary and unsolicited contributions of the officers would not accomplish the desired result.

When the Army and Navy Chronicle was established, the preference for a weekly publication, which would give more frequent information of orders and changes, was so decidedly manifested, that the Magazine was abandoned.

All that our correspondent avers respecting improvements, reminiscences, and occurrences at home and abroad, is strictly true; and we shall be, indeed, gratified if his suggestions should lead to a more general contribution by the officers of both services, from their vast funds of information and amusement. We hope the Chronicle will never be found obnoxious to the charge of being "a vehicle for personal assault." It has ever been our steadfast purpose to preserve it from meriting such a character. We cannot shut our ears to complaints, nor close our columns to the expression of them, when couched in appropriate language; and it is always with pain and reluctance that we give admission to articles of this description, whenever we think the writers have just grounds for the utterance of their feelings. We dissent from the sentiment expressed by C. at the conclusion of his remarks. We think that there are numerous foreign articles, interesting to the American reader, which many can see only by means of their republication.

If we possessed the powers of persuasion, we would put them willingly in force to induce "officers to contribute more frequently;" but as our efforts hitherto have proved of little avail, we must place it to the account of our want of eloquence. May the hint of our correspondent prove more effectual.

MR. EDITOR: Without waiting to learn whether my first communication on the subject of the army is approved, and therefore to have a place in your paper, I send you a continuation of the series of reasons why more success has not attended the operations of

THE ARMY.

V. CONCENTRATION.—A desire to grasp and concentrate the power which is necessary to control and govern the different branches of the army, is another of the chief causes why it has not been more successful. This eagerness has increased from day to day, in the same ratio that success has attended the efforts made to effect the change that has taken place.

Formerly, the country was divided into military districts, each superintended and commanded by a chief. These several chiefs had not the nominal, but actual command; and that they exercised it with some effect, the state of the army then showed. Now, also, there are divisions—Eastern and Western—departments No. 1, 2, 3, etc., etc.; but they exist merely in printed orders. For, a General commanding a division or department, cannot so much as grant a lieutenant of his command a furlough for a month! A colonel cannot make a mutual transfer of officers, when he sees the service will be benefitted thereby,

and that no harm or derangement can come from it! Nay, he cannot even transfer a subaltern from one company of his regiment to another, when the service actually demands it, although the companies may be at the same post, unless authority be first obtained from General Head Quarters; and this, too, when it may require, from the remoteness of the posts, eight or ten weeks to receive it. A soldier, who is known to be unfit for service, and every day becoming a greater load to his company, cannot be discharged without authority from Head Quarters—General Head Quarters—the point of concentration.

A brief comparison has been made. The results of the old mode of administering affairs are known. One of the results of the present mode is a miserable state of discipline throughout the army, which is brought about in the following manner:

Authority, heretofore correctly and properly vested in commanders of regiments and companies, has been taken from them, to be exercised by those who, from their situation and position, are unable to exercise it; by those who cannot see when it ought to be used, and what the consequences will be if not used at the proper time and place—by those who are really not responsible. Under the circumstances, then, a good officer must either allow every thing to take its course, however bad it may be, or he must *usurp power*. This is done, and by our best officers—by those who stand at the head of their profession—by those who know some of the regulations to be "more honored in the breach than the observance." Young officers see this course pursued by their superiors, and often without the same judgment follow it. Sometimes they fall into the mire, but more frequently they escape the frown of the authorities, who perhaps think it better that the service should suffer than their popularity. The consequence of all this is, that, in course of time, the practice has run through the whole army, many, too many, members of which construe regulations to suit their convenience, or break them at pleasure; and all this with impunity.

[*Mem. for the Secretary of War.*—The "Head Quarters of the Army" should be any where else than in Washington city. The Wahoo Swamp, in this territory, would be more fitting at present—seeing that nearly the whole army is to be "concentrated" here.]

VI. INSUFFICIENT STAFF.—An army, without a sufficient number of staff officers, is as inefficient as one without a good head—as a body without legs or arms. This is the case with ours; and it is felt more seriously, for the following reasons:—Many line officers, without the necessary experience, are called to act in the staff, and often as the heads of departments too; while they, who belong to, and have been in those departments for many years, are absent, performing some common-place duty, or perhaps that which does not belong to them. Of late, it has been particularly the case; a first lieutenant having acted as quartermaster to this army, (of the south,) who, by the way, acquitted himself in a masterly and creditable manner; but there should have been an officer of more rank. This performance of every other duty but that which properly belongs to an officer, calls to mind the fact that, in this army, artillery officers have been known to command mounted men and Indians! dragoon officers, infantry companies!! Marine officers, troops of cavalry!!! Navy officers to act as commissaries of subsistence, and command Indians!!!! and a regular Surgeon to officiate as a militia field officer!!!!

†††

The Charleston Patriot of the 7th instant says, "We learn from Capt. HUGGETT, of the schr. Polly, arrived this forenoon from Jacksonville, that General JESUP had determined to commence hostilities against the Seminoles on the 10th of this month, if they did not come and surrender previous to that time.

PROCEEDINGS OF CONGRESS, IN RELATION TO THE ARMY, NAVY, &c.

IN SENATE.
FRIDAY, OCT. 13.

A bill from the House, providing compensation for the loss of horses, saddles, and bridles, by the volunteers of Alabama, was taken up, read twice, and referred to the Committee of Claims.

The following resolution was taken up and passed:

Resolved, That the Secretary of War be directed to submit to this House, as early in the next session as may be practicable, a plan for the protection of the western frontier of the United States against Indian aggression; designating the points to be permanently occupied by garrisons; the auxiliary stations for reserves, and deposits of munitions, arms, and other supplies; the routes to be established for the purpose of maintaining a safe and prompt intercourse between the several stations, and from these with the depots in the interior; and finally, the minimum force which, in his opinion, will be required to maintain peace among the several tribes, and cause our border settlements to be respected. Also, to report, as far as the same can be ascertained, the number of Indians who will be in the occupancy of the country west and north of the States of Louisiana, Arkansas, and Missouri; and the number of warriors they may collectively be able to send into the field; or to recommend such other plans as he may think proper.

Mr. HUBBARD, from the Committee of Claims, reported the House bill, referred to them, to amend the act allowing compensation for the loss of horses in the military service of the United States; which was read a third time and passed.

SATURDAY, OCT. 14.

Mr. LINN offered a resolution calling on the Secretary of War for information to the Senate early in the next session, in regard to the defence and protection of the western frontier, describing the proper points for garrisons, the routes between the stations, the number of Indians and Indian warriors west and north of Louisiana, Arkansas, and Missouri, what progress has been made in the military road, and other matters relating to this subject.

Mr. RIVES, (on some inquiries made by Mr. HUBBARD,) moved that the Committee on Naval Affairs be discharged from the further consideration of the petitions of Lieutenants John C. Long and Ebenezer Ridgeway, of the U. S. navy, asking to be restored to their proper relative rank. This motion was made on the ground that the subject was excluded by the general rule restricting the business of the session; and that it would interfere with nominations made, or about to be made.

On motion of Mr. HUBBARD, this motion was laid on the table, on which, of course, the above petitions remain for the next session.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, OCT. 11.

The resolution heretofore offered by Mr. JOHNSON, of Louisiana, calling upon the Secretary of War to report at the next session the best mode for protecting the western frontier from the Indians, and the number and force of the Indians west of the Mississippi, was taken up and agreed to.

FLORIDA WAR.

The House resumed the consideration of the resolution, heretofore offered by Mr. WISE, for an investigation of the conduct of the Seminole war, by a select committee, to be appointed by ballot, and to sit during the recess; the question being on the motion of Mr. HOWARD to refer the inquiry to the Committee on Military Affairs,

Mr. MCKAY concluded his remarks on the subject, and moved its postponement to December next.

Mr. LEWIS WILLIAMS opposed the motion.

Mr. J. Q. ADAMS spoke at length in reply to all the objections made to the resolution. Before Mr. A. concluded, the House proceeded to the orders of the day.

THURSDAY, OCT. 12.

The House proceeded to the unfinished business of yesterday morning, which was the motion of Mr. MCKAY to postpone the consideration of the resolution of Mr. WISE for a committee of inquiry on the Florida war till the first Monday in December next.

Mr. MCKAY made a brief explanation, stating, in substance, that he had moved the postponement because all the important points in the resolution were already within the province of different standing committees, or had been investigated before courts martial or of inquiry.

Mr. ADAMS made some remarks, going to shew that the committees to which the several subjects of investigation had been formerly referred, were not likely to prosecute the inquiry with any practical efficiency. He insisted that none but a select committee, and that appointed by ballot, would be likely to do anything to the purpose in the matter. He objected to the postponement, as the committee would want all its time, and much useful progress might be made during the recess.

Mr. WILLIAMS, of N. C., demanded the yeas and nays on the question of postponement, and they were ordered by the House.

Some conversation took place as to the necessity of the investigation proposed, and as to the abuses which exist in the Indian relations of the country; which conversation was cut off by the orders of the day.

During the conversation, Mr. BOND introduced the following statement of appropriations, within the last two years, for the suppression of Indian hostilities, being so much in addition to the ordinary expenses of the military establishment.

Act 14 Jan. 1836,	-	-	-	-	\$120,000
29 " "	-	-	-	-	500,000
1 April "	-	-	-	-	500,000
29 " "	-	-	-	-	1,000,000
2 July "	-	-	-	-	2,400,000
9 Jan. 1837,	-	-	-	-	2,000,000
2 March "	-	-	-	-	2,000,000
Bill now reported,	-	-	-	-	1,600,000

\$10,120,000

Mr. WHITTLESEY, from the Committee of Claims, by leave, reported a bill to amend the act providing payment for horses lost in the military service of the U. S., which was twice read, and ordered to be printed.

Mr. WILLIAMS, of N. C., moved for the printing of the substitute moved by Mr. DAWSON; and it was ordered.

FRIDAY, OCT. 13.

REMUNERATION FOR LOSSES IN THE FLORIDA CAMPAIGNS.

On motion of Mr. WHITTLESEY, chairman of the Committee of Claims, the House took up the bill, reported by that committee, to amend the bill making provision for the remuneration of volunteers and others, for horses, &c. lost in the military service of the United States.

[The Committee of Claims accompanied this bill with a report, stating

"That several claims are presented to the committee, arising from the horses and saddles, and other equipage of disbanded mounted volunteers, having been turned over to the United States, by the order of General Jesup, as it is alleged, when said volunteers were dismissed from the service.

"It is represented to the committee by Colonel King, acting adjutant to Colonel Caulfield's regiment of Alabama mounted volunteers in Florida, that most of the claimants with whom he is acquainted are young men who obtained their horses and equipage on credit, and that they are obliged to look to the United States for the value of the property to enable them to make payment to the persons of whom they purchased. Most, if not all, of the claimants were sick at the time they were dismissed, or left the service on furlough; and it was thought best by General Jesup that they should return home by water, rather than encounter the fatigue, hardships, and danger of returning home by land. The committee, at the last session of Congress, reported a bill for the relief of James L. Kenner, whose horse was turned over to the United States by the order of the commanding officer, on the discharge of said Kenner by reason of sickness.

"The committee refer to that report in the 1st volume of Reports, No. 3. The number of claims that will be embraced under a general law, Col. King thinks may be one hundred. It appears to the committee it is expedient to provide for this class of cases by a general law."

The House having resolved itself into a Committee of the Whole on this bill,

Messrs. CARTER, of Ten., CHAPMAN, of Ala., EW-

ING, of Ind., WHITTLESEY, of Ohio, addressed the House upon the bill, and sundry amendments were suggested.

Mr. EWING, of Ind., proposed an amendment, covering similar losses in the battle of Tippecanoe, and previously.

Mr. CARTER spoke at length in support of the bill, and was followed by

Mr. THOMPSON, who proposed an amendment, which the Chair said would be in order after that of Mr. EWING was decided upon. The question on the amendment moved by Mr. EWING was decided in the negative.

Mr. THOMPSON's amendment was intended to cover certain cases of the impressment of horses, &c. for the public service. The mover sustained it at length, after which,

Mr. CLARK, of New York, made a few remarks, and then the amendment was lost.

On motion of Mr. WHITTLESEY, of Ohio, the committee rose, and reported the bill to the House.

On the question of engrossing for a third reading, Mr. EWING, of Ind., again moved his amendment, which was rejected, after some debate.

Mr. PETRIKEN opposed the bill, on the ground that it would open the door to frauds.

Mr. THOMPSON's amendment was then moved; and, pending this motion,

Mr. PETRIKEN moved to postpone the whole subject until the first Monday in December next. Lost.

Mr. THOMPSON's amendment was then rejected.

The bill was then ordered to be engrossed and read a third time; which, on motion, was done; and the bill was then read a third time, and passed.

SATURDAY, OCT. 14.

Mr. LEGARE offered the following resolution, which was adopted:

Resolved, That the Secretary of the Navy be requested to report to the House, at its next session, his opinion as to the expediency of establishing a navy yard for sloops of war (and other ships of smaller class) at Charleston, S. C., or some other port on the southern coast, together with any information he may possess on that subject.

THE FLORIDA WAR.

The House then proceeded to the unfinished business of yesterday morning, which was the consideration of Mr. WISE's resolution on the Florida War; and the question being on Mr. McKAY's motion to postpone the consideration of the resolution to the 1st of December next,

Mr. UNDERWOOD said that, in the early stages of the debate upon the resolution under consideration, he understood the gentleman from Virginia (Mr. WISE) to say that he had been informed, in a manner entitled to credit, that General Jesup had entered into an engagement with Hopothlehohola, stipulating to secure and protect that chief in his possessions, provided he would give his aid to the army of the United States, and assist General Jesup in his operations; that the gallant Indian chief, relying upon the assurances of General Jesup, had devoted himself to our service, and that, after success crowned the operations of General Jesup, he turned upon the chief, in violation of his engagement, and drove him from his possessions. I was forcibly impressed at the time with the impropriety of the conduct thus imputed to General Jesup. I could not believe that a gallant soldier, who had risen from the humblest ranks to the command of an army, who had on several occasions displayed a combination of talents and bravery which induced the country to confide in him as a fit commander in the South, would so far debase himself as to decoy an Indian chief into his service, by a promise of protection, and, as soon as he had answered his purposes, turn upon his ally in violation of his engagement, and expel him from his home. Such conduct would not only have been disgraceful to General Jesup as a man, but it would tarnish the reputation of the country. Feeling as I did, I asked the gentleman from Virginia whether General Jesup's engagement with Hopothlehohola, and after conduct, had been the result of orders emanating from higher authority, or whether General Jesup alone was responsible? The gentleman's information did not enable him to answer. I deemed it proper to communicate the substance of the statement, made by the gentleman from Virginia, to General Jesup. On day before yesterday I received his answer, in which he says: "No such treaty or engagement as that stated to have been made was ever thought of; every engagement made with

Hopothlehohola, so far as depended upon me, or so far as I am informed, has been faithfully fulfilled." Thus, sir, a direct contradiction is given by General Jesup to the information communicated to the House. His letter evinces a desire to have the "whole subject of the war in Alabama and Florida investigated." Instead of shrinking from it, he invites it. His language is: "Let persons and papers be sent for; let investigation be pushed to the utmost; I have nothing to fear."

In reference to the supposed treaty or engagement with Hopothlehohola, the General indignantly remarks that, had it been made, "no power on earth should have compelled him to violate it." He would have surrendered his commission sooner than present himself before the world in the attitude of playing the hypocrite with an Indian chief; and, after securing his confidence and assistance, turning upon him the instruments of destruction. Such sentiments are worthy of an American General; and I trust, sir, they meet with proper sympathy in the bosoms of the members of this House.

I have thought it an act of justice to General Jesup to make the preceding statement; and now that I am up, I shall take the occasion to say, that I trust the resolution will be adopted, and that the fullest investigation may be had into all the operations of the Florida war.

Mr. WISE vindicated himself from having, in his own person, made the charge at all: he had stated it as it had been stated to him; he rejoiced to hear the language of General Jesup in relation to it; but insisted that this very reply went to show the importance of the investigation he advocated, that justice might be done to the innocent, while the guilty were exposed.

The House then again went into Committee of the Whole on the state of the Union, on the bill making appropriations for the Seminole war.

The bill, which appropriates \$1,600,000, having been considered, was laid aside for the transaction of other business.

The committee then rose and reported the bill; which was read a third time, passed, and sent to the Senate for concurrence.

DOMESTIC INTELLIGENCE.

INDIAN DEPUTATIONS.

From the National Intelligencer.

INDIAN COUNCIL.—The Sacs and Foxes of the Mississippi, and the Ioways and Sacs and Foxes of the Missouri, met the Commissioner of Indian Affairs, representing the United States, at Dr. Laurie's church, on Saturday last, agreeably to announcement. The Indians were seated on each side of the platform, and appeared in great number. They were attended by Gen. Street and Major Pilcher, their agent and interpreter. The church was crowded to excess, both below and in the galleries. Several distinguished gentlemen were present. The Vice President of the United States and the Secretary of the Treasury were on the platform. Mr. Harris, the Commissioner of Indian Affairs, addressed the Indians, through their interpreters, stating that their Great Father had assembled them together for the purpose of settling matters of interest to them, and their several land titles, and of endeavoring to satisfy them on any point wherein they had become discontented with the arrangements which had been made by the Government.

Several of the chiefs of the Ioways addressed the Commissioner in support of their claim to some part of the consideration for the land in which they had a common interest with the Sacs and Foxes. Keokuck replied, asserting the right of his people to all the land, because he had fought for it, and gained it. He afterwards spoke of some articles of treaties that had not been satisfactorily fulfilled. The Commissioner promised them an answer on Monday, (to-day,) at ten o'clock, when the Council will meet again in Dr. Laurie's church. The talk on Saturday was a very interesting one, and the spectacle on the platform not less imposing than any which preceded it.

From the National Intelligencer.

SIoux INDIANS.—We learn that the deputation of Sioux Indians, who lately concluded a treaty with the United States for the sale of their lands, took their departure from the city, by the cars, on Monday evening. In the morning of that day, the Sioux took their leave of the Secretary of War, and asked to be protected by their Great Father until they arrived at their respective homes. We understand the Secretary of War assured them that they would receive the protection of the Government on their journey homeward.

THE SIoux.—Twenty-six of the Chiefs of the Sioux tribe of Indians, dressed in their blankets and red leggings, attended the Holliday street theatre on Monday evening. They filled the stage boxes, but seemed rather uninterested spectators of the performances. One of them was extremely pleased with a military cap worn by one of the audience, and very earnestly proposed an exchange. They are large, athletic men, of fine stature and carriage, and with countenances expressive of considerable cunning and intelligence. During the forenoon of yesterday, they wandered through the city, entering the most conspicuous stores and shops, and receiving many presents. At about half-past three, they left town for their homes, in three stages, and as they passed through the streets, gave expression to their valedictory emotions in loud yells.—*Baltimore Chronicle.*

From the National Intelligencer.

INDIAN COUNCIL.—A very numerous company of ladies and gentlemen assembled, at an early hour yesterday, in Dr. Laurie's church, to witness the interesting spectacle of an Indian Council holding a talk, through their interpreters, with Mr. Harris, the Commissioner of Indian Affairs, who represents the United States Government. All the seats in the church, both on the floor and in the galleries, were occupied, and many gentlemen remained standing in the aisles during the entire proceedings. The Vice President of the United States and the Secretary of the Navy were again upon the platform, as were also Major Pilcher and General Street, the United States agent for the Indians. About 11 o'clock, Mr. Harris took his seat; soon after the Council was opened, as usual, by smoking the pipe of peace. Two or three of the chiefs, representing the Ioways and Sacs and Foxes of the Missouri, then addressed the Commissioner, in support of their claims, after it was intimated to them that the Commissioner was ready to hear what they had to say upon the subject.

One of the chiefs spoke at considerable length, though not with much animation, stating that they were pleased to come here on the invitation of their Great Father, to make known their claims, and implore his protection. The chief said he wished the paper to be read which had been made out in relation to their claims. A paper was then handed by the Commissioner to the interpreter, who explained it to the Sacs and Foxes of the Mississippi. Keokuck, the celebrated chief, then arose, and with much grace and animation, replied to the adverse chief. He denied (after hearing the paper read) the right of the claimants to the land, and said it was unnecessary to go into any discussion on the subject. He stated that the chiefs and braves of his party were willing to meet the opposite party, and had gone to see and talk with them; but they were unwilling to do so. Keokuck concluded a very animated talk about 1 o'clock, when the Council broke up.

A Delegation of the Cherokee Nation of Indians, consisting of John Ross, Principal Chief of the Nation; Edward Gunter, a member of the Executive Council; Richard Taylor, President of the National Committee; Elijah Hicks and Sam'l Gunter, members of the National Committee; James Brown, one of the Judges of the Circuit Court; Sitewake and White Path, members of the National Council, arrived in

this city on Friday last. Their object is, we are informed, to endeavor to settle the differences between their nation and the Government of the United States; they disclaiming the treaty entered into between Mr. Schermerhorn and certain individuals, whom they allege to have been unauthorized to make it.

INDIANS FOR THE FLORIDA WAR.—The St. Louis Republican of the 4th inst. says—"The steamboat Wilmington passed this port yesterday, for Jefferson Barracks, having on board one hundred Indian warriors, destined to operate in the war against the Seminoles of Florida. They belong to the Delaware tribe, a nation of brave and hardy men. We learn from Capt. BEAN, by whom these Indians have been received into the service, that a party of Shawnees, amounting to about one hundred men, are also expected to engage in this campaign. It is not probable that the service of any other Indians will be procured for this war."

The Indians, it is added, are to be paid \$45 per month, while the regular pay to citizen volunteers is but \$8 per month.

NEW ORLEANS, Oct. 5.—A detachment of the 2d U. S. Dragoons, on their way to Tampa Bay, Florida, arrived at the new barracks on Wednesday last, in the steamer Pawnee.

Captain T. S. Byrant, 2d Dragoons, Commanding. Lieutenant Hardia, 2d Dragoons, and Lieutenants Brady and Green, of the Missouri Volunteers, accompanied the Command. All well.

The 1st Infantry under Col. Davenport, were to have left on the 1st inst. from Jefferson Barracks, in the steamer Louisville; destination Tampa Bay.—*Com. Bulletin.*

FORT ON THE WESTERN FRONTIER.—We learn from the Arkansas Advocate, that Colonel Whistler, and Captain Stuart, United States army, together with Dr. De Camp, have received the appointment of Commissioners to select a site for a fort on the Western Frontier, with instructions to fix on a spot between Webber's Falls on the Arkansas line. The location, it is supposed, will be above Fort Coffee.

NORFOLK, Oct. 13.—The Exploring Squadron, under the command of Commodore T. AP CATESBY JONES, got under way from Hampton Roads yesterday morning at 3 A. M. and proceeded to sea, bound for New York. At 7 A. M. the squadron had cleared the Capes, consisting of the Macedonian frigate, Capt. Armstrong, bearing the Commodore's broad pendant; ship Relief, Lieut. Comd't Dornin, brig Pioneer, Lieut. Comd't Newman, and brig Consort, Lieut. Comd't Glynn. We shall publish a list of their officers in our next.—*Herald.*

From the Norfolk Beacon.

EXPLORING SQUADRON.—We have been politely favored with the following list of the officers of the U. S. frigate Macedonian, bearing the broad pendant of Com. THOS. AP CATESBY JONES.

FRIGATE MACEDONIAN.

Commander, JAMES ARMSTRONG.

Lieuts., George A. Magruder, Andrew K. Long, Arthur Sinclair, Thomas Turner.

Acting Master, H. J. Hartstene.

Fleet Surgeon, B. Ticknor.

Commodore's Secretary, Wm. M. Stewart.

Assistant Surgeons, John L. Fox, J. J. Abernethy.

Purser, E. T. Dunn.

Passed Midshipmen, John A. Underwood, W. S. Swann.

Midshipmen, Samuel Smith, Catesby Ap R. Jones, James L. Blair, Archibald McRae, Daniel Ammen, J. C. Wait, D. Williamson, F. A. Parker, H. H. Harrison.

Commodore's Clerk, J. S. Nevius.

Captain's Clerk, George A. Thomas.
Boatswain, John Shannon.
Gunner, Gustavus Newman.
Carpenter, L. R. Townsend.
Sailmaker, Sam'l B. Banister.
Purser's Steward, Franklin Curtis.
Capt. James Edelin, *Commanding officer of Marines*.

The following is a list of the Officers of the U. S. ship Relief, and brigs Pioneer and Consort.

SHIP RELIEF.

Lieut. Com., THOMAS A. DORNIN.

Lieutenant, S. C. Rowan.

Acting Master, Robert F. Pinkney.

Passed Midshipmen, James H. North, Wm. L.

Maury, Geo. T. Sinclair.

Passed Assistant Surgeon, Edward Gilchrist.

Captain's Clerk, James Howison.

Boatswain, William Black.

Gunner, Adrian A. Peterson.

Carpenter, Wm. M. Laighton.

Sailmaker, Samuel V. Hawkins.

Purser's Clerk, James S. Barnard.

BRIG PIONEER.

Lieut. Com., WM. D. NEWMAN.

Lieutenant, Samuel P. Lee.

Acting Master, M. G. L. Claiborne.

Passed Midshipmen, E. T. Shubrick, Wm. R. Postell, J. P. Sanford.

Boatswain, Geo. Wilmouth.

Carpenter, Amos Chicks.

Gunner, Oliver Nelson.

Purser's Clerk, Walter M. Clark.

BRIG CONSORT.

Lieut. Com., JAMES GLYNN.

Acting Master, B. M. Dove.

Passed Midshipman, Geo. M. Totten.

Assistant Surgeon, Charles Guillou.

Boatswain, Henry Welton.

Gunner, John D. Anderson.

Carpenter, John Fry.

Sailmaker, John Joines.

Purser's Clerk, Richard H. Griffin.

William Speiden, *Purser*, ship Relief, brigs Pioneer and Consort.

WORKS AT BLACK ROCK.—The President submitted to Congress, on the 23d ult., the following letters, among others of no importance, in reference to the duty enjoined upon him by a resolution of the Senate, of March 2, 1837, requesting him "to ascertain, during the recess of Congress, whether the works of Black Rock raise the waters of Lake Erie to the injury of property on its southern and northern shores, and to communicate to Congress, at their next session, the result of the examination."—*Buffalo Journal*.

ENGINEER DEPARTMENT,
 Washington, Sept. 15, 1837. }

SIR: In reference to the resolution of the Senate, of March 2, 1837, calling for information in regard to the waters of Lake Erie being raised by the works near Buffalo, I have the honor to report:

That no funds having been appropriated for the survey, Capt. A. Talcott, and Messrs. Courtenay and Brown, formerly of the corps of engineers, were requested, on the 14th of April, 1837, to make the necessary examination on their own responsibility, to be reimbursed from an appropriation to be asked afterwards of Congress. These gentlemen accepted the offer; but two of them being obliged afterwards to withdraw, the examination could not be made.

For the same reason, for a want of funds, the request made by Mr. Brown, United States' Agent at Dunkirk, New York, that Col. Totten and Major Douglass should be appointed, could not be complied with.

A proposition was, also, afterwards made by Mr. Brown, after Messrs. Talcott and Courtenay had left the Lake, that those gentlemen should make the examination, and the expense be defrayed by the un-

expended balance of appropriation for other objects then in his hands. To this proposition Captain Talcott acceded; but this Department having no authority to make the transfer of funds, Mr. Brown was informed that the application of them to this purpose would be on his individual responsibility. Since then, the Department is in receipt of no further information.

Unless, therefore, Mr. Brown has concluded to make the survey on his own responsibility, the information required cannot be communicated, there being no funds for that purpose.

I have the honor to return herewith the resolution referred to. Very respectfully, sir,

Your obedient servant,

Hon. J. R. POINSETT, C. GRATIOT.
Secretary of War.

ENGINEER DEPARTMENT,
 Washington, Sept. 18, 1837. }

SIR: In compliance with your verbal instructions, given in pursuance of a resolution of the Senate of March 2, 1837, "That the President be requested to ascertain, during the recess of Congress, whether the works at Black Rock raise the waters of Lake Erie to the injury of property on its southern and western shores, &c.," I have the honor to submit herewith an approximate estimate of an examination of the lake with that view, namely:

Three commissioners, one month, at \$5 per day,	\$450
Transportation of baggage at 10 cts. per mile,	290
Surveyor, including all expenses,	300
Contingencies,	160

I have the honor to be, sir, \$1,200

Very respectfully,

Your obedient servant,

Hon. J. R. POINSETT, C. GRATIOT.
Secretary of War.

NOTICE TO MARINERS NAVIGATING THE BALTIC.

NEAR ARCONA, on the peninsula of Wittow, connected with the Island of Rugen, in the Baltic, a stone reef projects from the fort on that island in the direction of east $\frac{1}{4}$ ° north; $2\frac{1}{2}$ cables' length from the shore. It is dangerous to vessels of a large draft of water, and has hitherto been signalized by a buoy, 434 fathoms from the shore. As this signal has however been often destroyed, a more durable signal has been provided. This consist of two lands beacons, one of which is placed on the rampart of Arcona, the other in the level of the fort, the direction of both of which point exactly to the outermost end of the reef. The innermost of these two beacons is furnished with a black painted signal basket of a round form; the outermost with a red painted signal basket of an oblong square form.

Vessels entering the port of Strampor Wieck, or approaching Arcona, drawing twelve feet or more water, must not come nearer into the roads, than whilst they can see both signals from their decks in a line with the direction of west $\frac{1}{4}$ south covering each other, by which vessels will preserve the distance of 434 fathoms from the shore.

The square signal being seen higher than the round one, is a sign of having got too near the shore, in which case vessels must immediately stand out to sea.

The above is notified by order of the Prussian Government.

From the New York Star.

THE SECRETARY OF WAR.—A correspondent at Washington speaks in high terms of the organization and efficiency of the War Department. He says:—

"Independent of directing the operations of, and supplying (by issuing requisitions) with funds, some

ten or a dozen bureaux, charged with various and specific duties, the great mails, especially those from the south and west, literally groan under the weight of claims and accounts transmitted to this Department for adjudication. To examine them strictly, and decide on their merits, is in itself no small matter, particularly when it is recollected that the correspondence accompanying many of them, and deemed necessary for their elucidation, is not unfrequently of a most unparadonable length.

"It has been sometimes mentioned that Southern gentlemen but rarely evince that industry and close application to business, which is said to be characteristic of those from the north; and that the former, moreover, are somewhat tinged with a kind of *hauteur*, which gives to their exterior and manner an aristocratic bearing. In these latter respects, however, so far as the present Secretary is concerned, the very reverse is the case. He is perfectly independent in character, decisive in action, and no influence or inducement, however specious, can make him deviate from the 'even tenor of his way,' or swerve from what he considers the paths of duty and justice. His habits and manners are simple and truly republican; and the immense number of old and complex cases (heretofore suffered, by a culpable indecision, to accumulate) that he has already disposed of, is astonishing and incredible.

"Next to the duties of Secretary, in importance, are those of Chief Clerk, who also acts as Secretary in the absence of his chief. The gentleman, who at present fills that station, is Capt. Samuel Cooper, of the U. S. army, a native of your city, and a son of Major Cooper, an officer of the revolutionary army, and who was a well known resident of your city until within the last two years. By him the claim of a soldier will not be neglected, and that of a citizen will not be trifled with. His capability for the very arduous and complicated duties now devolving on him, and his well known unceasing industry and application in their performance, cannot be questioned."

ARMY.

OFFICIAL.

GENERAL ORDER, No. 68. HEAD QUARTERS OF THE ARMY, ADJUTANT GENERAL'S OFFICE, Washington, Oct. 18, 1837.
Promotions and appointments in the Army, since the publication of "General Order" No. 46, dated 12th July, 1837.

CORPS OF ENGINEERS.

Danville Leadbetter, late Second Lieutenant of the 1st Regiment of Arty., to be *Brevet* 2d Lieut. 1st July, 1836.
Montgomery C. Meigs, late 2d Lieut. of the 1st Regiment of Arty. to be *Brevet* 2d Lieut. 1st July, 1836.
Daniel P. Woodbury, late 2d Lieut. of the 3d Regiment of Artillery, to be *Brevet* 2d Lieut. 1st July, 1836.

FIRST REGIMENT OF DRAGOONS.

First Lieutenant J. H. K. Burgwin, to be Captain, 31st July, 1837, vice Ford, resigned.
Second Lieutenant Benjamin S. Roberts, to be First Lieutenant, 31st July, 1837, vice Burgwin, promoted.
Thomas McCrate, late Second Lieutenant, to be Second Lieutenant, 1st August, 1837.
Sergeant Major William Bowman, of Pennsylvania, to be Second Lieutenant, 1st August, 1837.
Daniel Henry Rucker, of Michigan, to be Second Lieutenant, 13th October, 1837.

SECOND REGIMENT OF DRAGOONS.

First Lieutenant Thomas S. Bryant, to be Captain, 26th Sept. 1837, vice Gordon, resigned.
First Lieutenant John Graham, to be Captain, 1st October, 1837, vice Bean, resigned.
First Lieutenant Townshend Dade, to be Captain, 1st October, 1837, vice Anderson, resigned.
Second Lieutenant George Forsyth, to be 1st Lieutenant, 26th September, 1837, vice Bryant, promoted.
Second Lieutenant John H. P. O'Neal, to be First Lieutenant, 1st October, 1837, vice Graham, promoted.
Brevet Second Lieutenant Franklin Saunders, to be Second Lieutenant, 11th September, 1837, vice McNiel, deceased, (Brevet 1st July, 1837.)

Lawrence Pike Graham, of Virginia, to be Second Lieutenant, 13th October, 1837.

Lewis S. Craig, of Virginia, to be Second Lieutenant, 14th Oct. 1837.

John Rutledge Parker, of South Carolina, to be Second Lieutenant, 14th October, 1837.

FIRST REGIMENT OF ARTILLERY.

Cadet Rober M. McLane, to be Second Lieutenant, 1st July, 1837.

THIRD REGIMENT OF ARTILLERY.

Second Lieutenant Morris S. Miller, to be First Lieutenant, 19th August, 1837, vice Maitland, deceased.

Brevet Second Lieutenant Francis O. Wyse, to be Second Lieutenant, 31st July, 1837, vice J. R. Anderson, resigned, (Brevet 1st July, 1837.)

FOURTH REGIMENT OF ARTILLERY.

Cadet James R. Soley, to be Brevet Second Lieutenant, 1st July, 1837.

Bvt. Second Lieutenant James R. Soley, to be Second Lieutenant, 31st August, 1837, vice Sing, resigned, (Brevet 1st July, 1837.)

FIRST REGIMENT OF INFANTRY.

First Lieut. Electus Backus, to be Captain, 17th Oct., 1837, vice Kingsbury, appointed Military Storekeeper.

Second Lieutenant Thomas M. Hill, to be First Lieutenant, 3d October, 1837, vice Kingsbury, promoted.

Second Lieut. William H. Storer, to be First Lieut., 17th October, 1837, vice Backus, promoted.

James McAlister, of Tennessee, to be Second Lieutenant, 3d September, 1837.

A. H. Stewart, of Connecticut, to be Second Lieutenant, 14th Oct. 1837.

THIRD REGIMENT OF INFANTRY.

Lucius O'Brien, of Maryland, to be Second Lieutenant, 3d Sept. 1837.

FOURTH REGIMENT OF INFANTRY.

First Lieutenant Gouverneur Morris, to be Captain, 6th September, 1837, vice Glassell, promoted.

Second Lieut. Abraham C. Myers, to be First Lieutenant, 6th September, 1837, vice Morris, promoted.

George Lincoln, of Massachusetts, to be Second Lieutenant, 14th September, 1837.

SIXTH REGIMENT OF INFANTRY.

Major Alexander R. Thompson, to be Lieutenant Colonel, 6th September, 1837, vice Bliss, resigned.

Brevet Major James M. Glassell, Captain of the 4th Regiment of Infantry, to be Major, 6th September, 1837, vice Thompson, promoted.

First Lieutenant Joseph Van Swearingen, to be Captain, 31st July, 1837, vice Wickliffe, resigned.

First Lieutenant Joseph S. Worth, to be Captain, 31st July, 1837, vice Batman, deceased.

Second Lieutenant John Conrad, to be First Lieutenant, 31st July, 1837, vice Van Swearingen, promoted.

Second Lieutenant George H. Griffin, to be First Lieutenant, 31st July, 1837, vice Worth, promoted.

Second Lieutenant J. Edmund Blake, to be First Lieutenant, 6th Sept., 1837, vice Williams, resigned.

Brevet Second Lieutenant William H. T. Walker, to be second Lieutenant, 31st July, 1837, vice Conrad, promoted. (Brevet 1st July, 1837.)

James Monroe, of Virginia, to be Second Lieutenant, 17th August, 1837.

Charles S. Lovell, late Sergeant Major of the 2d Regiment of Artillery, to be Second Lieutenant, 13th October, 1837.

SEVENTH REGIMENT OF INFANTRY.

Woodburne Potter, of Pennsylvania, to be Second Lieutenant, 16th August, 1837.

PAY DEPARTMENT.

Paymaster Benjamin F. Larned, re-appointed Paymaster, to take effect on the 24th November, 1837, when his present commission will expire.

MEDICAL DEPARTMENT.

Assistant Surgeon William L. Wharton, to be Surgeon, 22d July, 1837, vice Minis, resigned.

William S. King, of Pennsylvania, to be Assistant Surgeon, 29th July, 1837.

F. L. Sewall, of Alabama, to be Assistant Surgeon, 13th October, 1837.

PURCHASING DEPARTMENT.

James W. Kingsbury, late Captain First Infantry, to be Military Storekeeper, 17th October, 1837.

CASUALTIES, (25.)

RESIGNATIONS, (20.)

Lieutenant Colonel, (1.)

John Bliss, 6th Infy. 6th Sept. 1837,

Captains, (7.)

Lemuel Ford, 1st Drags. 31st July, 1837.
 William Gordon, 2d Drags. 26th Sept. 1837.
 Jonathan L. Bean, 2d Drags. 1st Oct. 1837.
 S. H. Anderson, 2d Drags. 1st Oct. 1837.
 Bvt. Maj. Thomas F. Smith, 1st Infy. 3d Oct. 1837.
 James W. Kingsbury, 1st Infy. 17th Oct. 1837.
 William N. Wickliffe, 6th Infy. 31st July, 1837.

First Lieutenant, (1.)

James S. Williams, 6th Infy. 6th Sept. 1837.

Second Lieutenants, (7.)

Henry H. Lockwood, 2d Arty. 12th Sept. 1837.
 John Bratt, 3d Arty. 31st Aug. 1837.
 Charles B. Sing, 4th Arty. 31st Aug. 1837.
 L. D. Cabanne, 1st Infy. 21st Aug. 1837.
 James F. Cooper, 3d Infy. 25th Aug. 1837.
 Thomas O. Barnwell, 3d Infy. 31st Oct. 1837.
 William H. DeForrest, 6th Infy. 30th Sept. 1837.

Brevet Second Lieutenants, (1.)

Joseph R. Anderson, Corps Eng's. 30th Sept. 1837.

STAFF, (3.)

Philip Minis, Surgeon, 21st July, 1837.
 Chs. D. Maxwell, Assistant Surgeon, 30th June, 1837.

PURCHASING DEPARTMENT.

Daniel B. Spencer, Military Storekeeper, 17th Oct. 1837.

DEATHS, (5.)

Captain Mark W. Batman, Mount Vernon Arsenal, Ala., 6th Infantry, 31st July, 1837.

Brevet Captain William S. Maitland, Charleston, S. C., 3d Artillery, 19th August, 1837.

Second Lieutenant J. W. S. McNeil, 2d Dragoons, 11th Sept., 1837.

Second Lieutenant George W. Suggett, Fort Gibson, Ark., 8th Aug., 1837.

Assistant Surgeon William Turner, Newport, R. Island, 26th September, 1837.

The officers promoted and appointed will report according to their promotions and appointments, and join their proper stations, regiments, or companies, without delay; those on detached service, or acting under special orders and instructions, will report by letter to their respective Colonels.

BY ORDER OF ALEXANDER MACOMB,
 MAJOR GENERAL COMMANDING-IN-CHIEF,
 R. JONES, *Adj't. Gen.*

MEMORANDA—Correction.

The name of A. S. Macomb, First Lieutenant in the 2d Regiment of Dragoons, will follow next after that of First Lieutenant G. A. H. Blake, on the list, and will stand on the present Army Register, No. 9, of the grade of First Lieutenants, instead of No. 10.

* Killed in action with the Indians in Florida.

GENERAL } HEAD QUARTERS OF THE ARMY,
 ORDERS, } ADJUTANT GENERAL'S OFFICE,
 No. 67. } Washington, Oct. 16, 1837.

I. A General Court Martial, to consist of seven members, (a greater number cannot be assembled without manifest injury to the service,) will convene at Fort Columbus, or such post in the harbor of New York as the President of the Court may direct, on the 23d of October, 1837, or as soon thereafter as practicable, for the trial of First Lieutenant James Duncan, of the 2d Artillery, and such prisoners as may be brought before it.

II. The Court will be composed as follows:

Colonel E. Cutler, 4th Infantry,
 Bvt. Major D. Wilcox, 5th Infantry,
 Bvt. Major L. Whiting, 4th Arty.
 Capt. J. Dimick, 1st Artillery,
 Captain D. S. Miles, 7th Infantry,
 1st Lieut. R. C. Gatlin, 7th Infantry,
 1st Lieut. A. E. Shiras, 4th Arty. } *Members.*

1st Lieut. E. Schriver, 2d Artillery, is appointed Special Judge Advocate.

III. Should any of the above members be prevented by sickness, or other unavoidable cause, from attending on the day appointed, the Court will be organized from such as are present, provided the number be not less than five, and the Judge Advocate.

BY ORDER OF ALEXANDER MACOMB,
 MAJOR GENERAL COMMANDING IN CHIEF:
 ROGER JONES, *Adj't. Gen.*

SPECIAL ORDERS.

No. 80, Oct. 11—Assistant Surgeon Tripler, to Eastport, and from thence to Tampa Bay.

No. 81, Oct. 12—Leave for four months, for the benefit of his health, to Lieut. S. W. Moore, Adj't., 7th Infantry.

Capt. Lendrum, 3d Art. to Fort Monroe for temporary duty, and to return to Washington immediately after executing it.

RECRUITING SERVICE.

Bvt Major Thos. Childs, 3d Art., }
 Capt. T. Morris, 2d Inf., } Relieved from Re-
 Capt. L. M. Nute, 6th Inf., } cruiting Service,
 Lieut. Geo. C. Thomas, 4th Art., } and ordered to
 Lieut. S. Casey, 2d Inf. } join their respect-
 Lieut. W. Alburdis, 2d Inf. } ive companies.
 Lieut. J. L. Donaldson, 1st Art. }

Lieut. Ruggles, 5th Inf., ordered with a detachment of Recruits from Pittsburgh, Newport, Ky., and Louisville, to Fort Pike, Louisiana.

Oct. 12. F. O. Wyse, 3d Artillery, to conduct a detachment of recruits from Lynchburg, Va., to Fort Monroe.

APPOINTMENT.

John A. Webber, Ordnance Storekeeper, Watervliet Arsenal, Oct. 14, 1837.

*NAVY.**ORDERS.*

Oct. 10—P. Mid. W. A. Jones, Navy Yard, N. York.

Lt. H. H. Bell, detached from ship St. Louis.

12—P. M. J. K. Bowie, detached from ship Concord.

16—Asst. Sur. J. S. Messersmith, brig Dolphin, Brazil.

P. Mid. A. W. Pennock, act'g. master, Ex. Ex.

14—Gunner C. Wade, Navy Yard, Pensacola.

RESIGNATION.

B. F. B. Hunter, Midshipman, Oct. 10.

VESSELS REPORTED.

Frigate United States, Capt. Wilkinson, at Cadiz, Aug. 22; all well; to sail in two or three days for Gibraltar and Mahon; sailed on the 27th for the Levant.

MARRIAGES.

In Baltimore, on Thursday last, DANIEL B. RIDGELY, U. S. Navy, to JOHNANA M., daughter of the late JOHN CLEMM, Esq. of that city.

In New York, on Wednesday morning, 11th inst. FREDERICK WILKINSON, of New Orleans, and late of the U. S. army, to CAROLINE, daughter of JOHN W. OAKLEY, of that city.

At Philadelphia, on Thursday evening, October 12th, FRANCIS B. STOCKTON, Esq. Purser U. S. Navy, to ANNA P. KLAPP, daughter of the late Captain JAMES McKNIGHT, of the U. S. marine corps.

DEATHS.

At Tampa Bay, on the 26th ult. Major GEORGE BIRCH, of the 4th Regiment U. S. Infantry.

In Baltimore, suddenly, on Monday morning, 16th inst., Lieutenant JOHN CASSIN, of the U. S. navy.

At Portsmouth, Va., on the 3d inst., Mr. HENRY M. ARMISTEAD, in the 53d year of his age; for the last fourteen years master gun-carriage maker at the Norfolk Navy Yard.

JOHN SMITH--MERCHANT TAILOR, (LATE OF WEST POINT.)

RESPECTFULLY begs leave to return thanks to the Officers of the U. S. Army for their liberal patronage, and to inform them that he has changed his place of business to 168 Pearl Street, New York, where he hopes, from his long experience and unremitted exertions, a continuation of their favors.

N. B. Orders forwarded with despatch.

July 1—1y.